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OF KANSAS

DEPARTMENT OF HOTEL COMMISSION

Hotel and Restaurant Inspection
Law, 1913,

Together with Rules and Regulations for
Compliance Therewith.

Planned, Enacted, Statuted, etc.



MILES H. MULROY, Hotel Commissioner.

TOM W. FLORY, WILLIAM J. DUVAL,
Traveling Inspectors.

5-3676

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Chapter 204—Session Laws 1913.

RELATING TO HOTELS AND LODGING HOUSES, DEFINING SAME, AND PROVIDING FOR THE APPOINTMENT OF A HOTEL COMMISSIONER.

AN ACT relating to hotels, rooming houses, apartment houses, defining such places and providing for license fees to be collected and turned over to the state, and empowering the commissioner to make rules and regulations.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. There is hereby created a hotel commission in the state of Kansas. The usual facilities for transacting its business shall be furnished the same as for other departments of the state government.

SEC. 2. The governor shall appoint the hotel commissioner, who shall furnish a bond of two thousand dollars, to be approved by the secretary of state. Said hotel commissioner shall receive a salary of two thousand dollars per annum and traveling expenses. He shall keep accurate account of all of the expenses of the said hotel commission, and shall file monthly itemized statements of such expense with the auditor of state, together with an account of all fees collected from applications for hotel, rooming house, apartment house, and restaurant licenses. He shall hold office at the pleasure of the governor and shall aid in the discharge of all the duties which shall devolve upon the hotel commission. He is hereby authorized and required to make such blank forms, rules and regulations as are necessary to carry out the provisions of this act, in accordance with its true intent, and to assist in the enforcement of any orders promulgated by the State Board of Health of this state, relating to hotels and restaurants.

SEC. 3. That every building or other structure, kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay, to transient guests, in which five or more rooms are used for the accommodation of such transient guests, and having one or more dining rooms or cafes where meals or lunches are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building, or in buildings in connection therewith, shall for the purpose of this act be deemed a hotel. Such only shall have the right to the use of the name "hotel," in connection with their business, and upon the proper application, the hotel commissioner of this state shall issue to such above described business a license to conduct a hotel.

SEC. 4. That every building or other structure, kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are furnished for pay, to transient or permanent guests, in which five or more rooms are used for the accommodation of such guests, but which does not maintain dining rooms or cafes in the same building, or in buildings in connection therewith, shall for the purpose of this act be deemed a rooming house, and shall not have the right to the use of the name "hotel" in connection with such business. Upon proper application, the hotel commissioner shall issue to such above described business a license to conduct a rooming house; provided, that nothing in this act shall be construed to prevent the use of any name the proprietor of such rooming house may desire to apply to his business, which name does not include the word "hotel."

SEC. 5. That every building or other structure, kept, used, maintained, advertised, or

held out to the public to be a place where accommodations for sleeping rooms, either single, or in suites for light housekeeping, or both, but where no dining room or cafe is maintained in the same building, or under the same management, and where one or more families, or tenants aggregating twenty persons or more, occupy said building, together with any buildings in connection therewith, shall, for the purpose of this act, be deemed to be an apartment house, and shall not have the right to use the name "hotel" or rooming house, in connection with such business. Upon proper application the hotel commissioner shall issue to such above described business a license to conduct an apartment house; provided, that nothing in this act shall be construed to prevent the use of any name the proprietor of a licensed apartment house may desire to apply to his business, which name does not include the words "hotel" or "rooming house."

SEC. 6. That every building or other structure, kept, used, maintained, advertised, or held out to the public to be a place where meals and lunches are served without sleeping accommodations, together with all outbuildings in connection therewith, shall for the purpose of this act be defined to be a restaurant, and upon the proper application the hotel commissioner shall issue to such above-described business a license to conduct a restaurant; provided, that nothing in this act shall be construed to prevent the use of any name the proprietor of a licensed restaurant may desire to apply to his business, which name does not include the word "hotel," "rooming house" or "apartment house."

SEC. 7. That on or before January 1, 1914, and each year thereafter, every person, firm or corporation now engaged in the business of conducting a hotel or restaurant, or both, or a

rooming house or apartment house, and every person, firm or corporation who shall hereafter engage in conducting such business, shall procure a license for each hotel, rooming house, apartment house, or restaurant, so conducted or proposed to be conducted; provided, that one license shall be sufficient for each combined hotel and restaurant where both are conducted in the same building, and under the same management. Each license shall expire on the 31st day of December, next following its issuance. No hotel, rooming house, apartment house, or restaurant shall be maintained and conducted in this state after the taking effect of this act without a license therefor. No license shall be transferable.

SEC. 8. The fee for licenses to conduct a hotel, rooming house, apartment house or restaurant in this state shall be two dollars (\$2), except hotels that contain twenty sleeping rooms, the license fee shall be three dollars (\$3), and for every additional ten rooms therein an additional fee of one dollar (\$1) shall be charged, which shall be paid before said license is issued, to the hotel commissioner, who shall on the first day of each month pay into the state treasury all fees collected for licenses issued during the preceding month, and said license shall be kept in the office of said place in a conspicuous manner, properly framed. Said license may be cancelled by the commissioner at any time when the law or regulations are not being complied with.

SEC. 9. In every hotel or restaurant the kitchen, dining room, cellar, office, ice boxes, refrigerators and all places where foods are prepared, kept or stored, shall be kept clean and in a sanitary condition. The toilets and out-closets shall at all times be kept in a clean and sanitary condition in hotels, restaurants, rooming houses or apartment houses.

SEC. 10. It is hereby made the duty of the hotel commissioner to inspect, or cause to be inspected, at least once annually, every hotel, rooming house, apartment house and restaurant in the state, and for that purpose he shall have the right of entry and access thereto, at any reasonable time. Whenever upon such inspection it shall be found that such business and property so inspected is not being conducted, or is not equipped in the manner and condition required by the provisions of this act, it shall thereupon be the duty of the hotel commissioner to notify the owner, proprietor or agent in charge of such business, or the owner or agent of the building so occupied, of such changes or alterations as may be necessary to effect a complete compliance with the provisions of this act. It shall therefore be the duty of such owner, proprietor, or agent in charge of such business, to make such alterations or changes as may be necessary to put such building and premises in a condition that will fully comply with the requirements of this act; provided, however, that thirty days' time after receipt of such notice, shall be allowed for conforming to the requirements of sections 20, 21, 22, 23 of this act, and sixty days' time for the conforming to the requirements of sections 12, 13, 14, 15, 16, 17, 18, 19.

SEC. 11. Every person, firm or corporation, who shall fail or refuse to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and shall be subject to a fine of five (\$5) dollars for each and every day he shall fail or refuse to so comply. If for thirty days after any final conviction, or any such violation, he or they still fail or refuse to comply with said sections mentioned in such notice, the building and premises involved may be closed for use as such hotel, rooming house, apartment house or restaurant, until all of the provisions of this act shall be

complied with, upon five days' notice thereof from the hotel commissioner.

SEC. 12. Every hotel, rooming house, apartment house and restaurant in this state shall be properly plumbed, lighted and ventilated, and shall be conducted in every department with strict regard to health, comfort and safety of the guests; provided, that such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room, also a transom as wide as the door, leading into the hallway. No room shall be used for a sleeping room which does not open to the outside of the building or courts, and all sleeping rooms shall have at least one window and one door with a transom. In each sleeping room there must be at least one window with opening so arranged as to provide easy access to the outside of building or courts.

SEC. 13. In all cities, towns and villages where a system of waterworks and sewerage is maintained for public use, every hotel, rooming house, apartment house and restaurant therein operated, shall, within six months after the passage of this act, be equipped with suitable water-closets for the accommodation of its guests, which water-closet or closets shall be ventilated and connected by proper plumbing with such sewerage system, and means of flushing such water closet or closets with the water of said system, in such manner as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bathtubs, sinks, drains, closets and urinals in such hotels, rooming houses, apartment houses or restaurants

must be connected and equipped in a similar manner, both as to methods and time.

SEC. 14. In all cities, towns and villages not having a system of waterworks, every hotel, rooming house, apartment house or restaurant shall have properly constructed privies or overvaults to receive the night soil, the same to be kept clean and well ventilated at all times, and free from foul odors and shall be kept in a clean and sanitary condition. Separate apartments shall be furnished for sexes, each being properly designated.

SEC. 15. Each hotel or restaurant in this state shall be provided with a main public wash room, convenient and of easy access to guests.

SEC. 16. In every existing hotel, rooming house, apartment house or restaurant, and in any hereafter erected, four stories or more in height, and containing fifty or more sleeping rooms, there shall be at least two standpipes under water pressure with sufficient hose attached at all times. Such standpipes shall be not less than two inches in diameter on four-story buildings and increased one inch in diameter for each two stories additional height, or shall conform in size to water service of such town or city.

SEC. 17. Every existing hotel building, rooming house or apartment house, exceeding fifty-five feet and not over one hundred feet in height, unless already provided with a three-inch or larger standpipe, and all buildings hereafter erected exceeding fifty-five and not exceeding one hundred feet in height shall be provided with a vertical standpipe of not less than four inches in diameter. Every existing hotel, rooming house or apartment house building exceeding one hundred feet in height, unless already provided with a four-inch or larger standpipe, and all buildings thereafter

erected exceeding one hundred feet in height, there shall be provided a vertical standpipe of not less than six inches in diameter. These standpipes shall be of wrought iron or steel, and together with fittings and connections, shall be of such strength as to safely withstand at least three hundred pounds of water pressure to the square inch when installed and ready for service; also to stand such test without leaking at joints, valves or fittings. All standpipes shall have one hose valve on the roof and a hose valve at each floor opening, with double siamese automatic valves at the bottom about one foot above the curb level. The siamese valve fittings should be adjusted looking down at an angle of forty-five degrees. All valve openings shall be of brass, protected by substantial brass cap, and all fittings and threads are to be of size and form to fit regulation fire department hose. All standpipes shall, where possible, be attached to the fire escape with iron ladder for use of firemen, running full height of building and over the roof and all hose connections shall be towards the building; provided, however, that this section shall not apply to cities, towns, or villages not having waterworks and fire fighting equipment for making use of said vertical standpipe.

SEC. 18. That within six months after the passage of this act every hotel, rooming house, apartment house or restaurant in this state shall be equipped with an iron stairway, fire escape or fire escapes on the outside of the building, connecting on each floor above the ground floor and to the cornice of the building, with openings from each floor, which shall be well fastened and secured, with landings not less than six feet in length and three feet in width, guarded by an iron railing not less than thirty inches in height. Such landing shall be connected by iron stairs not less than two feet wide with steps not less than six

inches tread and placed at an angle of not more than forty-five degrees. The way of egress to such fire escapes shall at all times be kept free and clear of any and all obstructions of any and every nature. At every opening to every fire escape a red light shall be kept burning at night. Fire escapes shall be placed where the hotel commissioner or fire marshal may direct. There shall be posted and maintained in conspicuous places in each hall and each guest room, except in the hall and rooms on the ground floor of such hotel, plainly written notices, reading, "Fire escapes are indicated by red lights." And every hotel, rooming house and apartment house shall have hallways placarded to indicate all stairways and exits and shall keep a five-eighths inch rope of sufficient length to reach the ground in each outside room, such rope to be fastened near window in a substantial manner and capable of sustaining at least five hundred pounds weight; provided, however, that nothing in this section shall be construed to prevent the use of any automatic rope fire escape in place of the rope. And provided further, that all iron or steel fire escapes which were constructed prior to the passage of this law, and which have received the approval of the local fire marshal may be approved as complying with the provisions of this law.

SEC. 19. Whenever it shall be proposed to erect a building three stories or more in height, intended for use as a hotel, rooming house or apartment house in this state, it shall be the duty of the owner, contractor or builder of such hotel, rooming house or apartment house to construct the same so that one main hall, on each floor above the ground floor, shall run through the outside wall or walls of said building, and every building converted into a hotel, rooming house or apartment house after the passage of this act must comply with the provisions of this act; provided, however, that the

provisions of this act relating to outside fire escapes and ropes or automatic appliances shall not apply to hotels having interior fireproof stairways approved as such by the hotel commissioner.

SEC. 20. Each and every hotel, rooming house, apartment house or restaurant, one, two or three stories high shall be provided with one fire extinguisher of a style and size approved by the National Board of Fire Underwriters on each floor containing two thousand five hundred square feet or less of floor area, and one additional fire extinguisher on each floor for each two thousand five hundred feet or less of additional floor area. Such extinguisher or extinguishers shall be placed in a convenient location in a public hallway outside of the sleeping rooms at or near the head of the stairs and shall always be in a condition for use.

SEC. 21. All hotels and restaurants in this state shall hereafter, in the main public washroom, in view and reach of guests, during the regular meal hours, and where no regular meal hours are maintained, then between the hours of 6:30 A. M. and 9:00 A. M., and 11:30 A. M. and 2:00 P. M., and 6:00 P. M. and 8:00 P. M., and in each bedroom furnish each guest with clean individual towels so that no two or more guests will be required to use the same towel unless it has been first washed. Such individual towels shall not be less than ten inches wide and fifteen inches long, after being washed.

SEC. 22. All hotels and rooming houses hereafter shall provide each bed, bunk, cot or other sleeping place for the use of guests, with pillow slips and under and top sheets. Each sheet shall be made ninety-nine inches long and of sufficient width to completely cover the mattress and springs; provided, that a sheet shall not be used which measures less than ninety

inches after being laundered. Said sheets and pillow slips shall be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

SEC. 23. All bedding, including mattresses, quilts, blankets, pillows, sheets and comforts, used in any hotel or rooming house in this state, must be thoroughly aired, disinfected and kept clean; provided, that no bedding, including mattresses, quilts, blankets, pillows, sheets or comforts, shall be used which is worn out, or is unfit for further use; provided further, that after six months from the passage of this act no mattress on any bed in a hotel or rooming house shall be used which is made of moss, sea-grass, excelsior, husks or shoddy. Any room in any hotel, rooming house or restaurant infested with vermin or bedbugs shall be fumigated, disinfected and renovated until such vermin or bedbugs are exterminated. All carpets and equipment used in offices and sleeping rooms, including walls and ceilings, must be well plastered and be kept in a clean and sanitary condition at all times.

SEC. 24. The hotel commissioner is hereby empowered to appoint and employ such office help and traveling inspectors as are necessary to carry out the terms of this act. Such inspectors shall be under the control and direction of the hotel commissioner and shall receive such compensation as shall be fixed by the hotel commissioner, not to exceed twelve hundred (\$1200) dollars per annum, payable monthly, together with all necessary traveling expenses.

SEC. 25. All notices to be served by the hotel commissioner, provided for in this act, shall be in writing and shall be either delivered personally or by registered letter to the

owner, agent, lessee or manager of such building and premises, or the owner, agent, lessee or manager of such hotel, rooming house, apartment house or restaurant. Any person, firm, or corporation operating a hotel, rooming house, apartment house or restaurant in this state, or leasing a building used for such business without having first complied with the provisions of this act and having a license granted by the commissioner shall be guilty of a misdemeanor, and shall upon conviction thereof be fined in the sum of five dollars (\$5) for each and every day of such noncompliance with this act, together with the costs of suit.

SEC. 26. The county attorney of each county in this state is hereby authorized and required upon complaint on oath of the hotel commissioner or other person, to prosecute to termination before any court of competent jurisdiction in the name of the state of Kansas, a proper action or proceeding against any person or persons violating the provisions of this act.

SEC. 27. All fees collected under the provisions of this act shall be appropriated for the fiscal years ending June 30, 1914, and June 30, 1915, for the purpose of paying the salary and actual traveling expenses of the hotel commissioner provided for under this act.

SEC. 28. The auditor of state shall draw the warrants on the state treasurer for the purposes and amounts specified in this act upon presentation of duly verified vouchers approved by the hotel commissioner of the state of Kansas.

SEC. 29. That chapter 148, Session Laws of 1909, be and the same is hereby repealed.

SEC. 30. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 13, 1913.

RULES AND REGULATIONS FOR CARRYING OUT THE PROVISIONS OF THE KANSAS HOTEL LAWS.

PLUMBING.

(1) The plumbing of every hotel shall conform to the plumbing ordinances of the city wherein the hotel may be located; provided, that if said city has no plumbing ordinance, then the plumbing shall conform to the ordinances of the nearest city having ordinances governing plumbing.

VENTILATION.

(2) There shall be at least one window which may be raised and lowered at the convenience of the guest, at least one door with a transom over the door, extending the full width of same, and not less than twelve (12) inches in height, which shall be kept in good order at all times, so that it may be raised and lowered at the convenience of the guest, thus affording sufficient daylight and ventilation for the health and comfort of the guest occupying such hotel room.

VERMIN AND BEDBUGS.

(3) Whenever a room in a hotel is infested with vermin and bedbugs, such means of extermination may be used as may be found expedient by the proprietor, but must be continued until all evidences of such vermin or bedbugs are removed, and when fumigation and disinfection are required, the following practical method will be found beneficial, but shall not be considered sufficient fumigation in the case of contagious diseases, in which case the health officer must be called.

PRACTICAL FUMIGATION.

(4) First seal up the openings in the room to be fumigated by stuffing cotton or linen strips into the cracks of the windows, doors and transoms; also stop up chimney holes—if any; then take an enameled vessel of not less than six quarts capacity, and for each one thousand cubic feet of air space in the room use four fluid ounces of forty per cent formaldehyde. Place the vessel in the center of the room, and put the formaldehyde into it; then when everything is in readiness for a hurried exit, put one-half ounce of per manganate of potassium into the formaldehyde, and get out of the room, and close up the door tightly. Allow the room to remain thus sealed for six hours, after which the room should be opened—all the doors and windows—to allow a free circulation of air and sunlight, continued for at least six hours. During such fumigation the bedding and mattresses should be placed over chairs or hung up endwise, so that the fumes may pass through and around each place.

(NOTE.—There is absolutely no danger from fire from such fumigation, and as it is inexpensive should be given each room at least four times a year.)

DISINFECTION.

(5) For washing the floors and woodwork in the halls, offices, dining room, sleeping rooms, kitchen or other rooms and closets, and for general disinfection of the chambers, wash-bowls and water pitchers, a good scouring soap or powder and warm water containing two ounces of Creolin or Lysol to each six quarts of warm water will aid in keeping such vessels, rooms and furniture in a condition favorable to the health and comfort of the guests of such hotel.

URINALS, TOILETS AND PRIVIES.

(6) Every hotel shall provide at least one public toilet to each thirty rooms, or fraction thereof, and shall provide at least one public urinal for every three toilets. All toilets must be properly plumbed and connected with the sewer, wherever there is a public sewer system. In cities and towns having no sewer system, open earth toilets or privies will be allowed, but must be disinfected with dry lime daily, the seats scrubbed and kept clean, and thoroughly screened from flies. Open toilets must be located not less than forty feet away from all kitchens and dining rooms, and pantry openings. Privy vaults are prohibited.

CESSPOOLS.

(7) In cities and towns having no sewerage, hotels with plumbing and sewerage waste must be provided with a suitable disposal of the sewerage, which disposal must be approved by the local health officer. Cesspools will not be allowed except upon the recommendation of the local health officer, approved by the State Board of Health.

GARBAGE AND KITCHEN REFUSE.

(8) All garbage and kitchen refuse must be kept in tight metal cans, with a metal cover encircling the top of the can, and must be removed once daily.

DINING ROOM AND KITCHEN SCREEN.

(9) All dining rooms, kitchens and pantries must be thoroughly screened from flies.

CONTAGIOUS DISEASES.

(10) Whenever a room has been occupied by a guest sick with or exposed to any communicable disease, it shall be completely fumigated in accordance with the directions of the local health officer before being occupied by another guest.

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